

30 August 1950

CENTRAL INTELLIGENCE AGENCY REGULATION NO. 25X1A

I. Procurement Regulation.

A. Introduction.

1. This regulation establishes for the Central Intelligence Agency uniform policies relating to the procurement of supplies and services under the authority of the Central Intelligence Act of 1949, Public Law 110, 81st Congress (hereinafter referred to as the Act).

B. Basic Policies.

1. It shall be the objective of the Agency to use that method of procurement which will be most advantageous to the Government -- price, quality, security and other factors considered.

2. The two principal methods of procurement are by means of advertising and by means of negotiation.

a. Procurement involving the use of vouchered funds shall generally be effected by advertising for bids and thereafter ~~awarding~~ ^{awarding} a contract to the lowest responsible bidder, all in accordance with the detailed requirements and procedures set forth in Section II of the Armed Services Procurement Regulation (Title 32 C.F.R. Part 400).

b. Procurement involving the use of vouchered funds may be effected by negotiation, however, when authorized in accordance

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with Sections 3 and 6 and 10 of Public Law 110. This type of procurement will generally be conducted in accordance with the detailed requirements and procedures set forth in Section III of the Armed Services Procurement Regulation.

c. Procurement involving the use of confidential funds may be effected by negotiation when authorized by and in accordance with Confidential Funds Regulation.

D. Procurement by Advertising.

1. Procurement by purchase or contract involving the use of vouchered funds when the aggregate amount exceeds \$1,000.00 will normally be accomplished by advertisements for bids in accordance with R.S. 3709, 41, U.S.C. 5. Advertising, within the meaning of the statute, is any notice which "gives reasonable publicity to the needs of government and results in obtaining the benefit of all available competition" (3 Comp. Gen. 862, 864). This is done by posting notices in public places and written or telephone solicitation.

E. Procurement by Negotiation.

1. Negotiation means that method of procurement under which the regulation for procurement by advertising as set forth in paragraph D is not required.

a. Vouchered Funds.

Whenever supplies or services are to be procured by negotiation, price quotations supported by statements and analyses

of estimated costs or other evidence of reasonable prices and other matters deemed necessary by the Contracting Officers, shall be solicited from all such qualified sources of supplies or services as are deemed necessary by the Contracting Officer to assure full and free competition consistent with the basic policy set forth in paragraph B of this section.

(2) Pursuant to the authority of Section 3(a) of the Act, procurement may be effected by negotiation and contracts may be entered into as a result of negotiation without formal advertising under any one of the applicable circumstances set forth in Part 2 of Section III of the Armed Services Procurement Regulations.

(3) The determination and decisions required by subsections (c) and (d) of Section 3 of the Act shall to the extent feasible be accomplished in accordance with the requirements set forth in Part 3 of Section III of the Armed Services Procurement Regulations.

b. Unvouchered Funds.

Procurement involving the use of Confidential Funds shall be effected in accordance with Part VIII of the Confidential Funds Regulation.